

## Article - Education

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§2–104.

(a) The following employees shall be appointed to positions in the Department:

(1) No more than three Deputy State Superintendents of Schools;

(2) Any assistant State superintendents and directors authorized by the State Board and provided in the State budget; and

(3) Any other employees to fill positions authorized by the State Board and provided in the State budget.

(b) (1) (i) From the nominees proposed by the State Superintendent, the State Board shall appoint all employees to positions in the Department.

(ii) Except as provided in § 6–405(a)(3) of the State Personnel and Pensions Article, all positions shall be in the executive service, management service, professional service, or skilled service in the State Personnel Management System.

(2) With the advice of the State Superintendent, the State Board shall set the qualifications for each position in the Department.

(3) The State Superintendent may transfer employees within the Department as necessary.

(c) (1) All employees who are assigned to the executive service or management service or who are special appointees shall serve at the pleasure of the State Board and the State Superintendent.

(2) All employees in the professional or skilled service shall be removed in accordance with procedures set forth in § 2–105 of this subtitle and Title 11 of the State Personnel and Pensions Article.

(d) (1) In addition to the other duties specified in this section, each employee in the Department has the duties assigned to the employee by the State Superintendent.

(2) The Deputy State Superintendent designated by the State Superintendent or by the State Board is the acting State Superintendent when the State Superintendent is absent or disabled.

(3) Assistant State superintendents and directors have charge of the various divisions of the Department.

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